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Regulations

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDG 33 (b)]

PART 16—ALIMENTARY PASTES

DEFINITIONS AND STANDARDS OF IDENTITY

In the matter of amending the definitions and standards of identity for macaroni products, milk macaroni products, whole wheat macaroni products, wheat and soy macaroni products, vegetable macaroni products, noodle products, wheat and soy noodle products, and vegetable noodle products so as to permit the use of gluten in such products as an optional ingredient, and fixing and establishing a definition and standard of identity for gluten macaroni products.

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U.S.C. 341, 371); the Reorganization Act of 1939 (53 Stat. 561, 5 U.S.C. 133) and Reorganization Plans No. I (53 Stat. 1423, 4 F.R. 2727) and No. IV (54 Stat. 1234, 5 F.R. 2421); and upon the basis of evidence of record at the hearing duly held pursuant to the notice issued on September 15, 1945 (10 F.R. 11818), the following order is hereby promulgated:

Findings of fact. 1. Wheat gluten is composed of two proteins, gliadin and glutenin. The commercially prepared gluten product used in the United States for increasing the gluten content of alimentary pastes is made by washing the starch from flour and drying the remaining sticky mass at a low temperature. The resulting product contains approximately 80 percent protein and is commonly known as "gum gluten".

2. Alimentary pastes to which gum gluten is added, with resulting increase in the protein content for which representations are made, fall into two general groups, one in which the gluten content of the finished product is increased to 18 or 20 percent, the other in which the gluten content is increased to approximately 40 percent.

3. Alimentary pastes containing sufficient added gum gluten to raise their gluten content to approximately 40 percent are known as "gluten macaroni", "gluten spaghetti", etc., and are sold almost entirely in stores of the type usually referred to as "health food stores". These pastes are consumed principally by persons suffering from diabetes or persons on so-called reducing diets. When thoroughly cooked such alimentary pastes are not unpalatable but their taste, appearance, and other physical properties differ considerably from those of ordinary macaroni products, and more time is required for their cooking. Recently, soy flour has been used in some of these foods, in lieu of a part of the gum gluten ordinarily added.

4. Alimentary pastes containing added gum gluten in amounts sufficient to bring the total gluten content of the finished product to around 18 or 20 percent are also generally known as "gluten macaroni", "gluten spaghetti", etc. Recently, such designations as "18 percent gluten macaroni" and "20 percent gluten macaroni" have been used. These pastes, when manufactured primarily for persons of Italian antecedents, are sometimes sold under the Italian name of "pastina glutinata." This type of alimentary paste does not differ to a marked degree in taste or appearance from ordinary macaroni products manufactured from semolina, although it requires slightly more cooking time. The sale of such foods has been largely promoted by representations that they are low in starch, are nonfattening, that they can replace other foods as sources of protein in the diet, or that they serve some other special purpose in the diet.

5. The addition of gum gluten to alimentary pastes in amounts sufficient to raise the total gluten content to 18 or 20 percent, or to approximately 40 percent, results in a substantial increase in the cost of these pastes. Such increased cost is passed on to the consumer. The sale of such pastes is quite small in comparison with ordinary macaroni products containing no added gluten.

6. Notwithstanding the lower starch content of alimentary pastes containing 18 to 20 percent or even 40 percent of gluten, their dietary effect is but little

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Book 2: Titles 10 through 14.

These books may be obtained from the Superintendent of Documents, Government Printing Office, at \$3 each.

A limited sales stock of the 1944 Supplement (3 books) is still available at \$3 a book.

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different from that of ordinary macaroni products, since the body converts 50 to 60 percent of the gluten to carbohydrates. Persons suffering from diabetes derive little if any benefit from the use of these foods; representations concerning the reduced carbohydrate content may lead such persons to the mistaken belief that such foods may be freely eaten without exceeding their tolerances for carbohydrates. Persons on so-called reducing diets who consume these lower starch products in the belief that they are less fattening than ordinary macaroni products are also deceived since gluten has the same energy and fat producing value as starch.

7. The protein content of flour is mainly gluten. Gluten alone will not adequately meet the protein needs of the body. To meet such needs gluten must be supplemented by proteins of animal origin or derived from oil-bearing seeds. The average diet of persons in the United States is not deficient in protein, and due to the wide consumption of products made from flour, a large part of such protein is gluten. Thus, no need exists for a specially prepared protein food where the increase of protein is accomplished by the addition of gum gluten, and from a dietary standpoint, little benefit will result from its consumption. The use of alimentary pastes containing added gum gluten for supplementing the protein content of the diet is irrational and uneconomical.

8. The preparation of alimentary pastes of various shapes is made possible by the peculiar sticky, gummy physical properties of gluten in flour, durum flour, farina, and semolina. In order to manufacture certain shapes without excessive breakage in drying, packing and shipping it is necessary that the gluten content of the finished product be approximately 13 percent. In the last few years the protein content of many wheats grown in the United States has been decreasing so that much raw material used in alimentary pastes has contained less than 13 percent gluten, thereby causing an increase in manufacturing difficulties. Some manufacturers of alimentary pastes have found that by adding small amounts of gluten to the dough some of these difficulties are overcome and loss by breakage in manufacturing and shipping is so reduced as to offset the cost of the added gum gluten.

On the basis of the foregoing findings of fact it is concluded that:

(a) It will not promote honesty and fair dealing in the interest of consumers to adopt a definition and standard of identity for gluten macaroni products.

(b) It will not promote honesty and fair dealing in the interest of consumers to amend the definitions and standards

of identity for macaroni products, milk macaroni products, whole wheat macaroni products, wheat and soy macaroni products, vegetable macaroni products, noodle products, wheat and soy noodle products, and vegetable noodle products to provide for the use of gluten as an optional ingredient so as to raise the gluten content of these products to 18 percent or more.

(c) Amending the definitions and standards of identity for macaroni products, milk macaroni products, wheat and soy macaroni products, vegetable macaroni products, noodle products, wheat and soy noodle products, and vegetable noodle products for the optional use of gluten in amounts sufficient to supplement deficiencies of gluten in the raw materials so as to permit their more efficient manufacture into alimentary pastes will promote honesty and fair dealing in the interest of the consumer.

Therefore, *It is ordered*, That no definition and standard of identity for gluten macaroni products be promulgated.

It is further ordered, That the definition and standard of identity for whole wheat macaroni products be not amended to provide for gluten as an optional ingredient of this food, and that the definitions and standards of identity for macaroni products, milk macaroni products, wheat and soy macaroni products, vegetable macaroni products, noodle products, wheat and soy noodle products and vegetable noodle products, be amended as follows:

Section 16.1 (a), last line of first paragraph, strike "(4)" and insert "(5)" therefor. Add the following new subparagraph after subparagraph (4):

(5) Gum gluten, in such quantity that the protein content of the finished food is not more than 13 percent by weight.

Section 16.2 (a) (2), add the following sentence at the end thereof: "When the optional ingredient gum gluten [§ 16.1 (a) (5)] is added, the quantity is such that the protein derived therefrom, together with the protein derived from semolina, durum flour, farina, flour, or any combination of these used, does not exceed 13 percent of the weight of the finished food."

Section 16.3 (a) (2) is amended to read:

(2) None of the optional ingredients permitted by § 16.1 (a) (1), (2), and (5) is used.

Section 16.4 (a) (2), add the following new sentence at the end thereof: "When the optional ingredient gum gluten [§ 16.1 (a) (5)] is added, the quantity is such that the protein derived therefrom, together with the protein derived from semolina, durum flour, farina, flour or any combination of these used, does not exceed 13 percent of the weight of the finished food."

Section 16.5 (a) (2), add the following new sentence at the end thereof: "When the optional ingredient gum gluten [§ 16.1 (a) (5)] is added, the quantity is such that the protein derived therefrom, together with the protein derived from the semolina, durum flour, farina, flour or any combination of these used, does not exceed 13 percent of the weight of the finished food."

Section 16.6 (a), last line of first paragraph, strike "(2)" and substitute "to (3), inclusive." Add the following new subparagraph after subparagraph (2):

(3) Gum gluten, in such quantity that the protein derived therefrom, together with the protein derived from semolina, durum flour, farina, flour or any combination of these used, does not exceed 13 percent of the weight of the finished food.

Effective date. The regulations hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER.

Dated: July 3, 1946.

[SEAL] MAURICE COLLINS,
Acting Administrator.

[F. R. Doc. 46-11773; Filed, July 3, 1946;
4:04 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter B—Estate and Gift Taxes

[T. D. 5523]

PART 81—REGULATIONS RELATING TO ESTATE TAX

RELEASE OF POWERS OF APPOINTMENT

In order to conform Regulations 105 (26 CFR, Cum. Supp., Part 81) to Public Law 393 (79th Congress), approved May 29, 1946, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after Public Law 95 (79th Congress), which was inserted by Treasury Decision 5470, approved August 14, 1945, and before section 302 (f) of the Revenue Act of 1926 (as originally enacted) as set forth preceding § 81.24, the following:

PUBLIC LAW 393 (79TH CONGRESS, 2ND SESSION),
APPROVED MAY 29, 1946

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is amended by striking out "July 1, 1946" wherever it appears and inserting in lieu thereof "July 1, 1947" . . .

PAR. 2. Section 81.24 (b), added by Treasury Decision 5239, approved March 10, 1943, and as amended by Treasury Decision 5283, approved July 12, 1943, Treasury Decision 5351, approved March 27, 1944, Treasury Decision 5434, approved February 2, 1945, and Treasury Decision 5470, approved August 14, 1945, is further amended as follows:

(A) By striking out "June 30, 1946" wherever it appears and by inserting in lieu thereof "June 30, 1947".

(B) By striking from the first sentence of paragraph (3) "(as amended by Public Law 95 (79th Congress), approved June 29, 1945)" and by inserting in lieu thereof "(as amended by Public Law 393 (79th Congress), approved May 29, 1946)".

(C) By striking out "July 1, 1946" wherever it appears and by inserting in lieu thereof "July 1, 1947".

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467, 26 U.S.C., 1940 ed., 3791) and Public Law 393 (79th Congress), approved May 29, 1946)

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: July 2, 1946.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.
[F. R. Doc. 46-11776; Filed, July 3, 1946;
4:29 p. m.]

[T. D. 5524]

PART 86—GIFT TAX UNDER CHAPTER 4 OF INTERNAL REVENUE CODE, AS AMENDED

RELEASE OF POWERS OF APPOINTMENT

In order to conform Regulations 108 (26 CFR, Cum. Supp., Part 86) to Public Law 393 (79th Congress), approved May 29, 1946, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately after Public Law 95 (79th Congress), which was inserted by Treasury Decision 5471, approved August 14, 1945, and preceding § 86.1, the following:

PUBLIC LAW 393 (79TH CONGRESS), APPROVED
MAY 29, 1946

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That . . . section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

(c) Release Before July 1, 1947.—

(1) A release of a power to appoint before July 1, 1947, shall not be deemed a transfer of property by the individual possessing such power.

(2) This subsection shall apply to all calendar years prior to 1947 and to that part of the calendar year 1947 prior to July 1, 1947.

PAR. 2. Section 86.2 (b) as amended by Treasury Decision 5366, approved May 5, 1944, Treasury Decision 5437, approved February 3, 1945, and Treasury Decision 5471, approved August 14, 1945, is further amended as follows:

(A) By striking out "July 1, 1946" wherever it appears and by inserting in lieu thereof "July 1, 1947".

(B) By striking out "as amended by Public Law 95 (79th Congress), approved June 29, 1945" wherever it appears and by inserting in lieu thereof "as amended by Public Law 393 (79th Congress), approved May 29, 1946".

(Secs. 1000 (c), 1029, and 3791 of the Internal Revenue Code (56 Stat. 952, 53 Stat. 157, 467; 26 U.S.C., 1940 ed., 1000 (c), 1029, 3791), and Public Law 393 (79th Congress), approved May 29, 1946)

[SEAL] JOSEPH D. NUNAN, JR.,
Commissioner of Internal Revenue.

Approved: July 2, 1946.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.
[F. R. Doc. 46-11777; Filed, July 3, 1946;
4:29 p. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

PART 602—GENERAL ORDERS AND DIRECTIVES

STATEMENT CONCERNING THE AVAILABILITY OF SURPLUS COAL FOR EXPORT ON THE COMMERCIAL MARKET

The short supply of all the higher grade coals, and particularly of those suitable for by-products and metallurgical uses, precludes, generally, the exportation of such coals, if the requirements of consumers in the United States are to be met adequately. Accordingly, it is the policy of the Solid Fuels Administration for War not to authorize the shipment for export overseas coal for which there is need in the United States. There are, however, available for export substantial tonnages of strip and lower grade coals, and occasionally a minor amount of certain other coals in surplus supply.

In accordance with the Statement of Policy Relating to Authorization by SFAW for Shipment of Bituminous Coal on the U. S. Treasury Department's Export Program, issued June 24, 1946 (11 F.R. 7128), it is expected that any person who has or will have surplus coal available for export, and who desires to sell such coal for export, will submit an offer to SFAW on or before the 20th day of the month preceding the month in which shipment would be made. On the basis of the information submitted with such offers and investigations made by the Area Distribution Managers, SFAW will keep the interested foreign purchasing missions currently advised as to the available sources of supply by providing a list each month, setting forth the areas from which shipment for export will not be authorized, and the names and addresses of the producers who offer available coal. If any purchasing mission should receive an offer from any shipper not listed, SFAW will, upon request, specifically advise with respect to the availability of the coals offered by such shipper.

Application for approval for shipment for commercial export overseas shall continue to be made by the interested purchasing mission, or its agent, in conformity with applicable regulations and orders.

Since complete data will not be available under the June 24 Statement of Policy until July 20, 1946, SFAW, in order to aid the foreign purchasing missions in fulfilling their August schedules, has compiled a list of producers who have offered surplus coal for shipment in July. This list is available for inspection in room No. 3315, Interior Building, Washington 25, D. C., and will be supplemented and amended as additional information becomes available.

Issued this 3d day of July 1946.

DAN H. WHEELER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 46-11775; Filed, July 3, 1946;
4:15 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Office of International Trade, Department of Commerce

Subchapter B—Export Control

SP (SPECIAL PROJECT) LICENSES

ORDER EXTENDING VALIDITY

It is hereby ordered, That all SP (Special Project) Licenses issued by the Foreign Economic Administration or the Department of Commerce which are valid and outstanding on June 30, 1946, by reason of the provisions of an order of the Foreign Economic Administration issued July 25, 1945 (10 F.R. 9316), or which expire by the terms thereof on June 30, 1946, shall remain valid through July 31, 1946. The provisions of this order shall not apply to any SP (Special Project) License which has been suspended, cancelled or revoked subsequent to July 1, 1945 and prior to the date of this order.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: July 2, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-11778; Filed, July 3, 1946; 4:43 p. m.]

[Amdt. 210]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The following commodities are hereby added to the list of commodities:

Dept. of Comm. Sched. B No.	Commodity	Unit	GLV dollar value limits country group	
			K	E
656598.....	Phosphorus tin.		1	1

2. The following commodities are hereby removed from the list of commodities:

Dept. of Com. Sched. B No.	Commodity
	Rubber scrap, synthetic and crude (report used casings averaging \$2 and over in 206000, 206200 and 206400):
201200	Tires and tire parts
201200	Tubes and tube sections
308950	Cotton remnants and fabrics, n. e. s. under 2 yards in length

Shipments of any of the above commodities removed from general license

which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately except that with respect to commodities removed from general license it shall become effective on July 10, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 28, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-11779; Filed, July 3, 1946; 4:43 p. m.]

[Amdt. 211]

PART 802—GENERAL LICENSES

COUNTY GROUP GENERAL LICENSE

Section 802.7 *Country Group General License* is hereby amended in the following particulars:

Paragraph (b) is amended to read as follows:

(b) The general license designation for this general license shall consist of the letter "G." The use by any exporter of the "G" symbol on a Shipper's Export Declaration for the purpose of clearing an exportation under this general license constitutes a certification by the exporter that the provisions of the general license have been met.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: July 2, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-11780; Filed, July 3, 1946; 4:44 p. m.]

[Amdt. 212]

PART 802—GENERAL LICENSES

GENERAL IN TRANSIT LICENSE

Section 802.9 *General in transit license "GIT"* is hereby amended by deleting therefrom paragraph (c).

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; Pub. Law 389, 79th Congress; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081;

E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 28, 1946.

FRANCIS MCINTYRE,
Acting Director,
Requirements and Supply Branch.

[F. R. Doc. 46-11781; Filed, July 3, 1946; 4:44 p. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827 and Pub. Law 270, 79th Cong.; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 1001—TIN

[Conservation Order M-43, Revocation of Direction 3]

ALLOCATION OF PIG TIN FOR FLUID MILK SHIPPING CONTAINERS

Direction 3 to Conservation Order M-43 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by WPB or CPA under the direction. Pig tin quotas for the production of fluid milk shipping containers are now stated in paragraph (f) (1) of Order M-43 as amended simultaneously with this revocation.

Issued this 5th day of July 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-11782; Filed, July 3, 1946; 5:12 p. m.]

TITLE 42—PUBLIC HEALTH

Chapter IV—Freedmen's Hospital, Federal Security Agency

PART 401—ADMISSIONS

- Sec.
- 401.1 Definitions.
 - 401.2 Eligible persons.
 - 401.3 Ineligible persons.
 - 401.4 Availability of facilities.
 - 401.5 Examinations.
 - 401.6 Pay patients.
 - 401.7 Full pay patients; rates.
 - 401.8 Part pay patients; rates.
 - 401.9 Referred patients; rates.
 - 401.10 Rates for X-ray, laboratory and other special services.
 - 401.11 Payments.
 - 401.12 Change in rates.
 - 401.13 Officers and employees.

AUTHORITY: §§ 401.1 to 401.13, inclusive, issued under 18 Stat. 223, 32 D. C. Code 317; 45 Stat. 992, 32 D. C. Code 318; 44 Stat. 208, 32 D. C. Code 319; 53 Stat. 561, 5 U.S.C. 133; Reorganization Plan No. IV, 3 CFR, Cum. Supp., Ch. IV.

§ 401.1 *Definitions.* As used in this chapter, terms shall have the following meaning:

(a) "Full pay patients" are those patients who are responsible for paying the full rate for their care in the hospital.

(b) "Part pay patients" are those patients who after financial investigation are found to be unable to pay the full rate for their care in the hospital but are able to pay a modified rate for their hospitalization.

(c) "Referred patients" are ambulatory, full pay patients, referred into the hospital by private physicians for special services that do not require hospitalization.

(d) "Out-patients" are those ambulatory patients registered in the organized clinics, receiving medical attention and special services of a nature that do not require hospitalization.

(e) "Hospital day" means a period of twenty-four hours beginning at midnight provided that the day of admission into the Hospital will be counted and the day of discharge therefrom excluded in the computation of the time for payment in each and every case.

§ 401.2 *Eligible persons.* Patients admitted for hospitalization shall be of the following classes:

(a) Full pay patients.

(b) Part pay patients.

(c) Indigent residents of the District of Columbia who, being sick or injured and requiring medical or surgical attention, are without the necessary means to pay for the same.

(d) Transient population of said District who, while passing through or temporarily residing therein, fall ill or suffer accident or injury and require immediate medical or surgical attention, but are destitute of means to pay for the same.

(e) Such other destitute persons residing outside of the District of Columbia as the Federal Security Administrator, either for humane reasons or in the interests of medical science, shall cause to be admitted.

(f) All emergency cases which are defined as sudden illness or injury where to delay treatment would imperil the life or safety of the patient.

(g) Injured employees of the United States, beneficiaries of the Compensation Act of September 7, 1916 (39 Stat. 742; 5 U.S.C. Chapter 15), upon request of the proper officer of the United States Employees' Compensation Commission.

§ 401.3 *Ineligible persons.* No person known to be affected with an incurable, chronic disease, acute alcoholism or contagious disease shall be admitted to the Freedmen's Hospital except when it would be inhuman to refuse admission.

§ 401.4 *Availability of facilities.* All admissions shall be conditioned upon the capacity of the Hospital to receive patients.

§ 401.5 *Examinations.* Applicants for admission shall at once be examined by the Superintendent or one of his assistants, or under their direction and if found to be entitled to admission under these regulations, shall be admitted. When it is impracticable for either of the above

mentioned officials to make the examination at once and the safety of the patient would be impaired by the delay, such other medical officers as may be designated by the Superintendent shall make the examination.

§ 401.6 *Pay patients.* When a patient is determined to be eligible for hospital care, either on a full pay or part pay basis, he or his responsible representative will be required to execute an agreement to pay such costs of hospitalization as are specified in this part.

§ 401.7 *Full pay patients; rates.* Full pay patients shall pay the following rates:

GENERAL HOSPITAL

	Per day
Private rooms.....	\$7.00
Semi-private rooms.....	6.00
Ward.....	5.00
Children under 7 years of age.....	2.50

There shall be the following extra charges for full pay patients:

1. Drugs not regularly stocked on the wards, prescriptions which must be compounded, and biologicals.

2. X-ray (see § 401.10).

3. *Laboratory.* There shall be a flat rate of \$6.00 for laboratory work for medical cases and \$3.00 for surgical, gynecological cases. There shall be no charge for laboratory work for obstetrics, tuberculosis, tonsillectomy, and children under 7 years. (See § 401.10).

4. *Operating room and anesthesia.* Major \$10.00; minor, \$5.00.

Delivery room and anesthesia. \$5.00 (to be charged when days stay is less than 7).

5. *Miscellaneous:*

(a) Physical therapy treatments. \$2.00 per treatment.

(b) *Casts.* (See § 401.10.)

(c) *Ambulance service.* The ambulance shall be used for full pay patients only in emergency cases when private ambulance service is not available. Trip within the city limits—day or night rate, \$5.00 per trip.

MATERNITY CASES

1. The only extra charge for maternity cases shall be for the use of the delivery room and only then if the patient remains in the hospital under 7 days.

2. Schedule of rates for full pay maternity cases:

Private rooms, for 7 days' stay—\$49.00; \$7.00 for each additional day.

Semi-private, for 7 days' stay—\$42.00; \$6.00 for each additional day.

Ward, for 7 days' stay—\$35.00; \$5.00 for each additional day.

TONSILLECTOMY CASES

1. There shall be no extra charges for tonsillectomy cases.

2. Schedule of rates for full pay tonsillectomy cases:

Patients 7 years and over. Private room—\$17.50 for minimum of 2 days; \$7.00 each day thereafter. Ward—\$13.50 for minimum of 2 days; \$5.00 each day thereafter.

Patients under 7 years. Ward—\$8.50 for minimum of 2 days; \$2.50 each day thereafter.

TUBERCULOSIS HOSPITAL

All rooms \$19.25 a week. All X-ray, laboratory, and other special services are included in the above rate.

§ 401.8 *Part pay patients; rates.* Part pay patients shall pay the following rates:

GENERAL HOSPITAL

Number in family	Family income per month		
	A	B	C
One.....	\$74 or less	\$75-\$99	\$100
Two.....	94 or less	95-119	120
Three.....	109 or less	110-134	135
Four.....	119 or less	120-144	145
Five.....	129 or less	130-154	155
Six.....	139 or less	140-164	165
Seven.....	149 or less	150-174	175
Eight.....	159 or less	160-184	185
Nine.....	169 or less	170-194	195
Ten or more.....	179 or less	180-204	205

"A" indicates no charge; "B" part rate (see following schedule); and "C" indicates full rate.

Deviation	Payment	
	Patients 7 and over	Children under 7
Minimum through \$2.00 over minimum.....	Per day \$0.50	Per day \$0.25
\$2.01 through \$4.00 over minimum.....	1.00	.50
\$4.01 through \$7.00 over minimum.....	1.50	.75
\$7.01 through \$10.00 over minimum.....	2.00	1.00
\$10.01 through \$13.00 over minimum.....	2.50	1.25
\$13.01 through \$16.00 over minimum.....	3.00	1.50
\$16.01 through \$19.00 over minimum.....	3.50	1.75
\$19.01 through \$22.00 over minimum.....	4.00	2.00
\$22.01 through \$24.00 over minimum.....	4.50	2.25

All X-ray, laboratory, and special services shall be included in the above part pay rates.

The above part pay scale shall also apply to maternity cases.

TUBERCULOSIS HOSPITAL

The part pay schedule is modified as follows for tuberculosis patients:

Deviation	Payment (per week)
Minimum through \$2.00 over minimum.....	\$2.75
\$2.01 through \$5.00 over minimum.....	5.50
\$5.01 through \$8.00 over minimum.....	8.25
\$8.01 through \$11.00 over minimum.....	11.00
\$11.01 through \$14.00 over minimum.....	13.75
\$14.01 through \$17.00 over minimum.....	16.50
\$17.01 through \$20.00 over minimum.....	19.25

§ 401.9 *Referred patients; rates.* Ambulatory, full pay patients referred in by private physicians for special services shall pay according to the established rates specified in § 401.10.

§ 401.10 *Rates for X-ray, laboratory and other special services—(a) X-ray examinations:*

Teeth.....	\$5.00
Chest.....	7.00
Gastrointestinal series.....	10.00
Abdomen.....	8.00
Barium Colon Enema.....	10.00
Gall Bladder with dye.....	12.50
G. I. Complete (Stomach, Colon, Gall Bladder).....	25.00
Skull:	
4 views.....	12.50
2 views.....	7.50
Mastoids.....	7.50
Sinuses.....	7.50
Shoulder extremities.....	7.50
Elbow.....	5.00
Pelvis.....	8.00
Hip.....	8.00
Femur.....	7.50
Tibia.....	7.50
Knee.....	7.50
Hand or Foot.....	5.00
Ankle.....	7.50

Spine:	
Complete.....	\$20.00
Dorsal.....	8.00
Lumbar.....	8.00
Cervical.....	7.00
Thorax.....	8.00
Jaw.....	7.50
Pyelography:	
Retrograde.....	10.00
Intravenous.....	15.00
Aerocystogram.....	7.50

NOTE 1: Children under 7 years shall be charged one-half the above rates.

NOTE 2: For any X-ray not listed, a reasonable price will be set, using the above table as a guide.

NOTE 3: Repeat radiographic examinations for continuous study and treatment, i. e., pneumonias, fractures, etc., charge 33 1/3 %.

(b) X-ray therapy:

I. X-ray therapy, deep:	
15 to 40 treatments.....	\$25.00
All additional series.....	12.50
II. X-ray therapy, superficial:	
1 to 15 treatments.....	10.00
All additional series.....	5.00

(c) Bacteriological examinations:

Agglutination tests.....	\$5.00
Bacterial culture.....	3.00
Bacterial culture with animal inoculation.....	10.00
Blood culture.....	5.00
Culture for G. C. organisms.....	3.00
Feces examination (for causative organisms).....	5.00
Feces examination (for parasites and ova).....	2.00
G. C. smear.....	2.00
Penicillin assay.....	5.00
Pneumococcus typing.....	3.00
Sputum smear.....	2.00

(d) Blood chemistry:

A/G ratio.....	\$5.00
Amylase.....	3.00
Ascorbic acid.....	3.00
Bilirubin (Van den Bergh).....	2.00
Calcium.....	3.00
Chemical examination of blood (creatinine, glucose, non-protein nitrogen or urea nitrogen, uric acid).....	7.50
Chlorides.....	3.00
Cholesterol.....	3.00
CO ₂ combining power.....	2.00
Galactose tolerance.....	5.00
Glucose tolerance.....	5.00
Icterus index.....	2.00
Lipase determination.....	3.00
Non-protein nitrogen.....	3.00
Phosphatase.....	5.00
Phosphorus.....	2.00
Proteins (Kjeldahl).....	3.00
Proteins (Falling Drop).....	1.50
Prothrombin.....	2.00
Spinal fluid proteins.....	1.00
Sugar, blood.....	2.00
Sulphonamide determination.....	2.00
Thiocyanate.....	2.00
Urea clearance.....	5.00
Urea nitrogen.....	3.00
Uric acid.....	2.00

(e) Hematology and urinalysis:

Bleeding time.....	\$1.00
Blood platelet.....	1.00
Blood typing.....	2.00
Blood typing with serology.....	4.00
Coagulation time.....	1.00
Complete hemogram (hemoglobin, red and white, sed. rate, hematocrit, and differential).....	5.00
Differential count.....	2.00
Hemoglobin estimation.....	1.00
Red and white blood count.....	2.00
Reticulocyte count.....	2.00
Sedimentation rate and hematocrit.....	2.00
Urinalysis.....	1.50

(f) Serology:

Coplain cholesterol.....	\$2.00
Cold agglutination test.....	5.00
Colloidal gold on spinal fluid.....	3.00
Colloidal gold on spinal fluid with Kahn test.....	5.00
Combination serologic test for syphilis.....	3.00
Kahn test for syphilis.....	2.00

(g) Plaster casts:

Arm.....	\$2.50
Chest.....	5.00
For disease or injury of vertebrae.....	7.50
Thighs and hips.....	7.50
Thigh and leg.....	2.50
Torso.....	7.50
Torso and hips.....	7.50
Torso, entire body (chest to feet).....	10.00

(h) Miscellaneous:

Basal metabolism.....	\$5.00
Repeat examination.....	3.00
Bronchoscopic examination.....	5.00
Circumcision.....	5.00
Cystoscopic examination.....	5.00
Electro-cardiography.....	5.00
Repeat examination.....	3.00
Gastric analysis.....	3.00
Pneumothorax.....	1.00

§ 401.11 *Payments.* Payments are to be made weekly, in advance, except in those cases where the patients enter the Hospital for a definite number of days constituting less than a week. In such cases payment shall be made in advance for the number of days the patient expects to remain in the Hospital.

§ 401.12 *Change in rates.* In those cases where it is found that a patient must be hospitalized for a long term and in which the patient or his responsible representative is found, upon investigation, to be unable to pay for care for the full period of hospitalization required, the Superintendent is authorized to reduce the schedule of rates in sections 401.7 and 401.8 or continue to render hospital services at no charge. Reduced rates shall not go into effect until after the first 14 days of hospitalization. The Superintendent shall establish the effective date in each case.

§ 401.13 *Officers and employees.* No officer or employee of the Hospital shall receive and retain for his personal use any fee collected from full or part pay patients.

The foregoing regulations shall become effective on date of publication in the FEDERAL REGISTER. The existing regulations contained in §§ 401.1 through 401.7, inclusive, of Part 401, Title 42, Code of Federal Regulations, are revoked.

[SEAL]

MAURICE COLLINS,
Acting Federal
Security Administrator.

JULY 3, 1946.

[F. R. Doc. 46-11774; Filed, July 3, 1946; 4:04 p. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Elder Manufacturing Company, Dexter, Missouri; Dress shirts, collars and sleeping wear; ten (10) percent (T); effective June 30, 1946, expiring September 30, 1946.

Morgan Shirt Company, Inc., Morgantown, West Virginia; Dress shirts, collars and sleeping wear; seventy-five (75) learners (AT); effective June 28, 1946, expiring September 28, 1946.

Regulations, Part 522—Regulations Applicable to the Employment of Learners (*supra*).

Forde Printing, Inc., Mankato, Minnesota; Printing; two (2) learners as follows:

a. Bindery worker and press feeder, for a learning period of 480 hours at 30 cents for 320 hours and 35 cents for the remaining 160 hours;

b. Compositor, for a learning period of 600 hours at 30 cents for the first 300 hours and 35 cents for the next 300 hours;

effective July 1, 1946, expiring December 31, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, order and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 1st day of July 1946.

PAULINE C. GILBERT,
Authorized Representative of the
Administrator.

[F. R. Doc. 46-11770; Filed, July 3, 1946; 2:04 p. m.]

FEDERAL DEPOSIT INSURANCE CORPORATION.

INSURED MUTUAL SAVINGS BANKS NOT MEMBERS OF FEDERAL RESERVE SYSTEM

CALL FOR REPORT OF CONDITION

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, be it resolved that each insured mutual savings bank not a member of the Federal Reserve System be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, June 29, 1946, on Form 64 (Savings).¹ Said report of condition shall be prepared in accordance with, "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Earnings and Dividends on Form 73 (Savings) by Insured Mutual Savings Banks," issued December 1945.

Adopted: June 28, 1946.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 46-11771; Filed, July 3, 1946;
3:52 p. m.]

INSURED STATE BANKS NOT MEMBERS OF FEDERAL RESERVE SYSTEM, EXCEPT BANKS IN DISTRICT OF COLUMBIA AND MUTUAL SAVINGS BANKS

CALL FOR REPORT OF CONDITION

Pursuant to the provisions of paragraph (3) of subsection (k) of section 12B of the Federal Reserve Act, as amended, be it resolved that each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, be, and hereby is, required to submit to the Federal Deposit Insurance Corporation within ten days after receipt of notice of this resolution a report of its condition as of the close of business Saturday, June 29, 1946, on Form 64 (Short form).¹—Call No. 25. Said report of condition shall be prepared in accordance with, "Instructions for the Preparation of Report of Condition on Form 64 (Short form)," issued December 1945.

Adopted: June 28, 1946.

[SEAL] FEDERAL DEPOSIT INSURANCE CORPORATION,
By E. F. DOWNEY,
Secretary.

[F. R. Doc. 46-11772; Filed, July 3, 1946;
3:53 p. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Wilmington Adopting Order 36 Under Basic Order 1 Under Gen. Order 68, Amdt. 1]

HARD MASON MATERIALS IN SOUTHERN DELAWARE AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed

¹ Filed as part of the original document.

with the Division of the Federal Register, and under the authority vested in the Regional Administrator of Region 2 by the Emergency Price Control Act of 1942 as amended, by General Order 68 as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Wilmington District Office, *It is hereby ordered:*

1. Adopting Order No. 36 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is hereby amended by striking out Schedule A annexed to said order and inserting in place thereof Revised Schedule A hereto annexed, and made a part of this amendment and of said adopting order.

2. Adopting Order 36 under Basic Order No. 1 as amended, under General Order No. 68 as amended, is further amended by striking out section 7 of said order and inserting in place thereof the following:

SEC. 7. *Records and sales slips.* (a) The provisions of section (e) of Basic Order No. 1 as amended covering sales slips and records are adopted in and applicable to this Order as though specifically set forth herein; and also on any sale of \$25 or more each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged.

(b) *Maximum prices for insufficiently described items.* Where the seller's records or sales slip upon a sale of any commodity covered by this order in the area covered by this order, do not contain a sufficiently complete description to identify the exact nature, type, size, or quantity of the commodity, and thus determine the maximum price fixed by Schedule A of this order, the maximum price applicable to such sale shall be the lowest maximum price which can be computed under Schedule A of this order in accordance with the incomplete description.

3. Except as hereby amended, Adopting Order No. 36 shall remain the same.

4. This amendment shall become effective immediately.

Issued this 26th day of June 1946.

CHARLES HARDESTY,
District Director.

REVISED SCHEDULE A

Maximum prices for certain building and construction materials in the southern Delaware area, consisting of that part of the State of Delaware south of the Chesapeake and Delaware Canal, on sales by all persons to ultimate users or to purchasers for resale on an installed basis.

Item and Maximum Delivered Prices

1. Plaster, hard wall: \$1.00 (bag, 100-lb.).
2. Plaster, hard wall: \$20.00 (ton).
3. Plaster, gauging: \$1.50 (bag, 100-lb.).
4. Keene's cement: \$2.50 (bag, 100-lb.).
5. Finishing lime: \$0.75 (bag, 50-lb.).
6. Gypsum lath, $\frac{3}{8}$ " : \$0.03 (sq. ft.).
7. Metal lath, 2.2-lb. painted diamond mesh: \$0.03 (sq. ft.).

Item and Maximum Delivered Prices—Con.

8. Metal lath corner bead—expanded type: \$0.03 (sq. ft.).
9. Portland cement, standard (paper bags): \$0.80 (bag, 94-lb.).
10. Mason's hydrated lime: \$0.50 (bag, 50-lb.).
11. Masonry mortar (paper sacks): \$0.70 (bag, 70-lb.).
12. Clay drain tile, 4": \$0.094 (ft.).
13. Clay drain tile, 6": \$0.16 (ft.).
14. Vitrified clay sewer pipe, 4": \$0.183 (ft.).
15. Vitrified clay sewer pipe, 6": \$0.273 (ft.).
16. Flue lining, $8\frac{1}{2}$ x $8\frac{1}{2}$: \$0.72 (2-ft. joint).
17. Flue lining, $8\frac{1}{2}$ x 13: \$1.08 (2-ft. joint).
18. Flue lining, 13 x 13: \$1.35 (2-ft. joint).
19. Gypsum wallboard— $\frac{3}{8}$ " : \$0.04 (sq. ft.).
20. Gypsum sheathing— $\frac{1}{2}$ " : \$0.05 (ft.).
21. Asphalt roofing—90-lb. mineral surface: \$2.60 (roll).
22. Asphalt or tarred felt—15-lb.: \$2.56 (roll).
23. Asphalt or tarred felt—30 lb.: \$2.56 (roll).
24. Asphalt shingles, 210-lb. (3-in-1) thick-butt: \$6.69 (sq.).
25. Fibre insulation board, $\frac{1}{2}$ " standard lath and board: \$0.05 (sq. ft.).
26. Fibre insulation board, 25/32" asphalt sheathing: \$0.069 (sq. ft.).
27. Asbestos cement siding, 12 x 24" or 27", standard colors: \$7.75 (sq.).
28. Asbestos cement roofing shingles, economy cut: \$9.00 (sq.).
29. Hard density synthetic fibre board, tempered (standard size): \$0.10 (sq. ft.).
30. Thermal insulation—blankets (paper backed), thick: \$0.05 $\frac{1}{2}$ (sq. ft.).
31. Thermal insulation, loose in bags (plain): \$1.25 (bag 35-40-lb.).
32. Thermal insulation—batts (paper backed) full thick: \$0.06 $\frac{1}{2}$ (sq. ft.).

[F. R. Doc. 46-11746; Filed, July 3, 1946;
11:31 a. m.]

[Memphis Order G-1 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN MEMPHIS, TENN.

An accompanying opinion, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order G-1 under General Order No. 68, as amended, is amended in the following respects:

Section 1 is amended to read as follows:

SECTION 1. *What this order covers.* This order covers all retail sales by any seller of commodities specified and set forth in Appendices A, B, C and D delivered to a purchaser within the corporate limits of the City of Memphis, Tennessee.

Section 2 is amended to read as follows:

SEC. 2. *Definition of retail sales.* For the purpose of this order, a retail sale means a sale to an ultimate user, including among others, commercial users, industrial users and contractors, but not including purchases by applicators. Applicators are defined as contractors engaged exclusively in business of applying roofing and/or siding, and/or insulation to buildings.

Appendix C is amended to read as follows:

APPENDIX C
TABLE

Description of commodity	Specifications	Quantity to which these prices apply	Maximum prices delivered to job site within city limits, Memphis, Tenn.
Gypsum board.....	3/8"	Any.....	M sq. ft. \$30.00
Gypsum sheathing, treated.....	3/8"	Any.....	49.50
Gypsum lapped sheathing.....	3/8"	Any.....	40.00
Plaster base lath.....	3/8"	Any.....	27.00
Gypsum board.....	3/8"	Any.....	45.00
Metal lath.....	2.5-lb. (painted).....	Any.....	Sq. yd. \$0.26
	2.5-lb. (copper bearing).....	Any.....	.27
	3-lb. (copper bearing).....	Any.....	.30
	3.4-lb. (copper bearing).....	Any.....	.31
ROOFING MATERIALS			
Roll roof.....	90-lb. mineral surfaced.....	Any.....	Square \$2.45
Strip shingles.....	210-lb.—12".....	Any.....	5.30
	167-lb.—11 1/4" hexagon.....	Any.....	4.00
Smooth roll roof.....	45-lb.....	Any.....	1.80
	55-lb. best grade.....	Any.....	2.05
	65-lb. best grade.....	Any.....	2.35
Asbestos siding.....	12" x 24" white.....	Any.....	9.78
	12" x 24" glazed.....	Any.....	10.30
Insulated brick asphalt siding.....	Any.....	Any.....	12.85
Roll brick siding.....	Any.....	Any.....	3.70

All prices are subject to 2% Cash Discount, 10th Prox.

This amendment 1 to Order G-1 shall become effective June 17, 1946.

Issued this 17th day of June 1946.

M. B. STEWART,
District Director.

[F. R. Doc. 46-11736; Filed, July 3, 1946; 11:26 a. m.]

[Region II Order G-3 Under MPR 592, Amdt. 1]

READY MIXED CONCRETE IN BUFFALO, N. Y. AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and under the authority vested in the Regional Administrator, Region II of the Office of Price Administration by the Emergency Price Control Act of 1942 as amended, by section 17 of MPR 592 as amended, and by Revised Procedural Regulation No. 1, it is ordered, That:

(a) Order No. G-3 under section 17 of Maximum Price Regulation 592, issued June 11, 1946, is hereby amended by striking out the figures ".56" in the second line of column 7 on page 2 of Schedule A annexed to said order, and inserting in place thereof, the figures ".99", and by striking out the figures "\$1.80" in the second line in column IV under the heading Floor Topping Mixes, on the second page of Schedule A, and inserting in place thereof the figures "\$1.90"; and by striking out the figures ".14" in the subdivision of Column V headed 4% on the second page of Schedule A under the heading City Paving Mix, and inserting in place thereof, the figures ".46".

(b) Except as hereby amended Order No. G-3 under section 17 of MPR 592, issued June 11, 1946, shall remain the same and all provisions thereof shall remain applicable.

(c) This amendment shall become effective immediately.

No. 181—2

Issued this 27th day of June 1946.

JAMES L. MEADER,
Regional Administrator.

[F. R. Doc. 46-11747; Filed, July 3, 1946; 11:31 a. m.]

[Springfield Order G-5 Under Gen. Order 68, Amdt. 2]

HARD BUILDING MATERIALS IN CHAMPAIGN ILL., AREA

An accompanying opinion has been filed with the Division of the Federal Register. The Appendix to Order G-5 is amended by deleting all of the items and maximum prices for Asphalt or Tarred Felt, Asphalt Shingles, and substituting therefor the following corrected maximum prices:

Item and unit of sale	Maximum price
Asphalt roofing, 90-lb. mineral surface, roll.....	\$2.65
Asphalt or tarred felt, 15-lb., roll.....	2.65
Asphalt or tarred felt, 30-lb., roll.....	2.65
Asphalt shingles, 210" (3 in 1) thick-butt, square.....	6.65
Asphalt shingles, 165-lb. hexagon, square.....	5.05

This Amendment No. 2 becomes effective June 24, 1946.

Issued this 17th day of June 1946.

GEORGE C. BOSEN,
Acting District Director.

[F. R. Doc. 46-11740; Filed, July 3, 1946; 11:27 a. m.]

[Raleigh Rev. Order G-1 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN RALEIGH, N. C. DISTRICT

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the District Director of the Raleigh, North Carolina District Office, of the Office of Price Administration, the maximum prices set forth in Revised Table I are amended to read as set forth on the attached Revised Table I (effective June 27, 1946).

This Amendment No. 1 to Revised Order No. G-1 shall become effective June 27, 1946.

Issued this 21st day of June 1946.

THEODORE S. JOHNSON,
District Director.

REVISED TABLE I

Subject to discounts, allowances, etc. as provided in section 6 of Order G-1.

No.	Description of commodity	Unit	Maximum delivered price (f.o.b. job)
1	Angle irons.....	Per lb.....	\$0.10
2	Wallboard, fibered or pulp, 3/8" (except Upson board).....	M sq. ft.....	35.00
3	Gyp-lap sheathing, 1/2".....	M sq. ft.....	42.50
4	Gypsum or rock lath, 3/8".....	M sq. ft.....	27.25
5	Gypsum wallboard, 3/8".....	M sq. ft.....	40.00
6	Gypsum wallboard, 1/2".....	M sq. ft.....	50.00
7	Standard Presdwood, 1/2" (4' x 12').....	M sq. ft.....	75.00
8	Standard Presdwood, 3/4" (4' x 12').....	M sq. ft.....	110.00
9	Tempered Presdwood, 1/2" (4' x 12').....	M sq. ft.....	100.00
10	Tempered Presdwood, 3/4" (4' x 12').....	M sq. ft.....	110.00
11	Tempered Presdwood, 1/4" (4' x 12').....	M sq. ft.....	130.00
12	Keene's cement.....	100-lb. bag.....	2.58
13	Portland cement, standard (paper bags).....	Standard bag.....	.85
14	Thermal insulation—mineral wool blankets (paper backed) single 1" thick, less than 2".....	1 sq. ft.....	.05
15	Thermal insulation—mineral wool blankets (paper backed) medium 2" thick, less than 3".....	1 sq. ft.....	.055
16	Thermal insulation—mineral wool blankets (paper backed) 3" thick and over.....	1 sq. ft.....	.06
17	Thermal insulation—mineral wool batts (paper backed) full thick.....	1 sq. ft.....	.06
18	Metal lath diamond mesh, painted (copper alloy), 2.5 lbs.....	Sq. yard.....	.32
19	Metal lath diamond mesh, painted (copper alloy), 3.4 lbs.....	Sq. yard.....	.36
20	Metal lath corner bead, expanded type.....	Lin. ft.....	.052
21	Finishing lime.....	50-lb. bag.....	.65
22	Mason's hydrated lime.....	50-lb. bag.....	.52
23	Plaster, hard wall.....	100-lb. bag.....	1.12
24	Plaster, hard wall.....	Per ton.....	22.40
25	Plaster, gauging.....	100-lb. bag.....	1.75
26	Plaster, gauging.....	Per ton.....	31.50
27	Asbestos-cement siding, 12" x 24" or 27" standard white.....	100 sq. ft.....	8.65
28	Asbestos-cement siding, 12" x 24" or 27" standard gray.....	100 sq. ft.....	7.84
29	Asbestos shingles.....	Per sq.....	10.68
30	Roll brick siding.....	Per sq.....	4.14
31	210-lb. 12" strip shingles (roofing).....	Per sq.....	6.36
32	167-lb. 11 1/4" Hex strip shingles.....	Per sq.....	4.92
33	90-lb. roll roofing, mineral surfaced.....	Per sq.....	2.75

EXPLANATION OF ADJUSTMENTS

1. All of the prices listed in Table I include all price adjustments, except individual adjustments, granted by OPA to date.

2. Items 18, 19 and 20, Metal Lath, Diamond Mesh Painted (copper alloy) 2.5 lbs. and 3.4 lbs. and Metal Lath Corner Bead expanded type—maximum prices increased, since issuance of Revised Order G-1 under G. O. 68, by Amendment No. 44 to Order No. 1 under MPR 592.

3. Item 30, Roll Brick Siding—maximum price increased, since issuance of Revised Order G-1 under G. O. 68, by Amendment No. 8 to RPS 45.

[F. R. Doc 46-11735; Filed, July 3, 1946; 11:35 a. m.]

[Raleigh Order G-3 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN RALEIGH, N. C., DISTRICT

For the reasons set forth in the accompanying opinion and pursuant to the authority vested in the District Director of the Raleigh, North Carolina District Office, of the Office of Price Administration, the maximum prices set forth in Table I are amended to read as set forth on the attached Table I (effective June 27, 1946).

This Amendment No. 1 to Order No. G-3 shall become effective June 27, 1946.

Issued this 21st day of June 1946.

THEODORE S. JOHNSON,
District Director.

TABLE I

Subject to discounts, allowances, etc., as provided in section 6 of Order G-3.

No.	Description of commodity	Unit	Maximum delivered price (f. o. b. job)
1	Angle irons.....	Per lb.....	\$0.10
2	Wallboard, fibered or pulp, 3/4" (except Upon board).....	M sq. ft.....	35.00
3	Gyp-lap sheathing 1/2".....	M sq. ft.....	45.00
4	Gypsum or rock lath, 3/8".....	M sq. ft.....	29.25
5	Gypsum wallboard, 3/8".....	M sq. ft.....	40.00
6	Gypsum wallboard, 1/2".....	M sq. ft.....	50.00
7	Standard Presdwood, 1/2" (4' x 12').....	M sq. ft.....	80.00
8	Standard Presdwood, 3/4" (4' x 12').....	M sq. ft.....	110.00
9	Tempered Presdwood, 1/2" (4' x 12').....	M sq. ft.....	100.00
10	Tempered Presdwood, 3/4" (4' x 12').....	M sq. ft.....	110.00
11	Tempered Presdwood, 1/2" (4' x 12').....	M sq. ft.....	130.00
12	Keene's cement.....	100-lb. bag.....	2.58
13	Portland cement, standard (paper bags).....	Standard bag.....	.90
14	Thermal insulation—mineral wool blankets (paper backed) single 1" thick, less than 2".....	1 sq. ft.....	.05
15	Thermal insulation—mineral wool blankets (paper backed) medium 2" thick, less than 3".....	1 sq. ft.....	.055
16	Thermal insulation—mineral wool blankets (paper backed), 3" thick and over.....	1 sq. ft.....	.06
17	Thermal insulation—mineral wool batts (paper backed) full thick.....	1 sq. ft.....	.0625
18	Metal lath, diamond mesh, painted (copper alloy) 3.4 lbs.....	Sq. yard.....	.39
19	Metal lath, diamond painted (copper alloy), 2.5 lbs.....	Sq. yard.....	.32
20	Metal lath, corner bead expanded type.....	Lin. ft.....	.052
21	Finishing lime.....	50-lb. bag.....	.70
22	Mason's hydrated lime.....	50-lb. bag.....	.52
23	Plaster, hard wall.....	100-lb. bag.....	1.12
24	Plaster, hard wall.....	Per ton.....	22.40
25	Plaster, gauging.....	100-lb. bag.....	1.83
26	Plaster, gauging.....	Per ton.....	31.50
27	Asbestos-cement siding, 12" x 24" or 27" standard white.....	100 sq. ft.....	9.85
28	Asbestos-cement siding, 12" x 24" or 27" standard gray.....	100 sq. ft.....	9.34
29	Asbestos shingles.....	Per sq.....	11.18
30	Roll brick siding.....	Per sq.....	3.89
31	210-lb. 12" strip shingles (roofing).....	Per sq.....	6.47
32	167-lb. 11 1/2" Hex strip shingles.....	Per sq.....	5.17
33	90-lb. roll roofing mineral surfaced.....	Per sq.....	2.99

EXPLANATION OF ADJUSTMENTS

1. All of the prices listed in Table I include all price adjustments, except individual adjustments, granted by OPA to date.

2. Items 18, 19 and 20, Metal Lath, Diamond Mesh Painted (copper alloy) 3.4 lbs. and 2.5 lbs. and Metal Lath Corner bead expanded type—maximum prices increased, since issuance of Order G-3 under G. O. 68, by Amendment No. 44 to Order No. 1 under MPR 592.

3. Item 30, Roll Brick Siding—maximum price increased, since issuance of Order G-3 under G. O. 68, by Amendment No. 8 to RPS 45.

[F. R. Doc. 46-11734; Filed, July 3, 1946; 11:25 a. m.]

[St. Louis Order G-2 Under Gen. Order 68] CERTAIN BUILDING MATERIALS IN ST. LOUIS, MO., DISTRICT

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the provisions of General Order No. 68, it is hereby ordered:

SECTION I. What this order does. This order establishes maximum prices for retail sales of all materials specifically described in Appendix A of this order, when such sales are made in that area of the State of Missouri comprising the counties of Shannon, Reynolds, Stoddard, Mississippi, New Madrid, Pemiscot, Dunklin, Butler, Ripley, Oregon, Carter, Wayne, and that part of Scott County within a twenty-five mile radius of the corporate limits of the city of Sikeston, by persons whose annual total dollar volume of sales of the items described in Appendix A is \$1,500 or more.

Persons whose annual total volume of sales of such materials is less than \$1,500.00, although exempted from this order, remain under price control subject to the provisions of the General Maximum Price Regulation or other applicable price regulations.

SEC. II. Definitions. 1. The term "retail sale" as used in this order means any sale of the building materials covered by this order to an ultimate user or to a contractor who will resell the same on an installed basis.

2. The term "sales to contractors" as used in this order refers to a sale to a building contractor or other person who purchases for the purpose of reselling building material items covered by this order on an installed basis.

3. "Sales to ultimate users" includes all sales of items described in Appendix A when made to persons who purchase for use either in the same form or on an installed basis rather than resale.

4. "Annual total dollar volume of sales" refers to the seller's total dollar volume of sales of the items described in Appendix A of this order made in the calendar year of 1945; or, if the seller has not been in the business of selling such items during the entire calendar year of 1945, the term refers to his dollar volume of sales of such items for the first three months that he sold or sells them after January 1, 1945, multiplied by four.

SEC. III. Maximum prices. Subject to the provisions of paragraph (c) of section

VI, maximum prices for commodities subject to this order are those set forth in Appendix A, which is specifically made a part of this order, including the terms and conditions of sale and other limitations set forth therein.

SEC. IV. The relation of this order to other regulations. The maximum prices fixed by this order supersede any maximum prices or price determining method previously established by any other regulation or order issued by the Office of Price Administration for the commodities covered by this order.

SEC. V. Each seller making sales subject to this order shall post a copy of Appendix A of this order plainly visible to all purchasers in each of his places of business located in the area covered by this order.

SEC. VI. Invoices and notification. (a) Each seller making sales subject to this order shall, if requested by any purchaser of commodities subject hereto, make available to such purchaser for inspection a copy of this order.

(b) Each seller covered by this order is required to furnish each purchaser with an invoice at the time of sale, which must contain the following information:

1. Name and address of the purchaser.
2. Description of each commodity sold.
3. Quantity of each commodity sold.
4. Price charged for each commodity sold.
5. Type of sale, whether f. o. b. railroad car, f. o. b. seller's yard or store, delivered to job site in free delivery zone, or delivered outside free delivery zone.
6. If delivery is made outside the seller's free delivery zone, the amount of any delivery charges made stated separately on the invoice.

(c) When an invoice does not contain a sufficiently complete description of an item sold to show that the price appearing on its face is within the maximum prices fixed by this order, the maximum price applicable to such sale shall be the maximum price of the lowest priced item under this order to which the incomplete description could apply. In the absence of any description the maximum price shall be the lowest price that can be computed under this order.

SEC. VII. Each seller is required to keep a duplicate copy of each of his sales invoices in his place of business, and make it available for inspection by the Office of Price Administration during regular business hours, for a period of two years from the date of sale.

SEC. VIII. Addition of increase in supplier's prices prohibited. The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the District Director.

SEC. IX. What this order prohibits. Regardless of any obligation no person shall:

1. Sell, or in the course of trade or business buy, building materials at higher prices than the maximum prices set by this order, but less than the max-

imum prices may at any time be charged, paid or offered.

2. Obtain higher than maximum prices by:

(i) Making a charge for delivery of building material items delivered within the free delivery zone hereinafter defined;

(ii) Making a charge for delivery outside the free delivery zone in excess of that permitted by this order;

(iii) Failure to give the discounts required by this order for prompt payment;

(iv) Using any tying agreement or requiring that the buyer purchase anything in addition to the building materials requested by him; or

(v) Using any other devices by which a higher than maximum price is obtained directly or indirectly.

SEC. X. *Enforcement.* 1. Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

2. Persons who have any evidence of any violation of this order are urged to communicate with the St. Louis District Office of the Office of Price Administration.

SEC. XI. *Building materials not covered by this order.* There are building materials sold and delivered in the area covered by this order which are not included in, and for which prices are not established in this order. The maximum prices for such building materials, when sold by any person covered by this order, shall continue to be determined

under the applicable maximum price regulation. Sellers who are in doubt as to the regulation applicable to such building materials should consult the St. Louis District Office of the Office of Price Administration.

This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective April 19, 1946.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; and E.O. 9328, 8 F.R. 4681)

Issued at St. Louis, Missouri, this 12th day of April 1946.

WILLIAM H. BRYAN,
District Director.

The prices herein listed are subject to terms, conditions and limitations set forth in the paragraphs immediately following the table of prices.

MAXIMUM PRICES IN DOLLARS PER SELLING UNIT

Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store, or plant. (F. o. b. railroad car in cases of carload sales)	Name of item	When sold in quantities of—	Selling unit	Delivered in free delivery zone	F. o. b. yard, store, or plant. (F. o. b. railroad car in cases of carload sales)
Plaster, hard wall.	1-19 bags.	100-lb. bag	\$1.25	\$1.13	Flue lining 9" x 9"	1-39 ft.	Lin. ft.	\$0.40	\$0.35
	20 or more bags, LCL	Ton	23.00	22.40		40 ft. or more	Lin. ft.	.31	.31
	CL or more	do.	22.90	21.90	Flue lining 9" x 13"	1-39 ft.	Lin. ft.	.60	.52
Plaster, ganging.	1-19 bags.	100-lb. bag	1.70	1.57		40 ft. or more	Lin. ft.	.46	.46
	20 or more bags, LCL	Ton	31.00	30.40	Flue lining 13" x 13"	1-39 ft.	Lin. ft.	.75	.67
	CL or more	do.	29.00	28.00		40 ft. or more	Lin. ft.	.58	.58
Plaster, moulding.	1-19 bags.	100-lb. bag	1.70	1.57	Gypsum Wallboard 3/8"			42.50	
	20 or more bags, LCL	Ton	31.00	30.40	Gypsum wallboard 5/8"	Less than 1,000 sq. ft.	1,000 sq. ft.	45.00	38.50
	CL or more	do.	29.00	28.00		1,000 sq. ft. or more	1,000 sq. ft.	38.50	37.00
Keene's cement.	1-19 bags.	100-lb. bag	2.50	2.42	Gypsum wallboard 1 1/2"	Less than 1,000 sq. ft.	1,000 sq. ft.	60.00	43.00
	20 or more bags, LCL	Ton	45.00	43.00		1,000 sq. ft. or more	1,000 sq. ft.	43.00	41.50
	CL or more	do.	37.50	36.50	Gypsum sheathing, water repellant, 1/2"	Less than 1,000 sq. ft.	1,000 sq. ft.	45.00	38.50
Finishing lime.	LCL	50-lb. bag	.85	.775		1,000 sq. ft. or more	1,000 sq. ft.	38.50	37.00
	CL or more	Ton	29.00	28.60	Smooth roofing paper No. 45:				
Lath, gypsum, 3/4"	Less than 1,000 sq. ft.	Sq. ft.	.0275	.0225	No. 1 grade				
	1,000 sq. ft. or more, LCL	Sq. ft.	.0245	.023	No. 2 grade	Per 108-ft. roll	1.75		
	CL or more	Sq. ft.	.0225	.021	Smooth roofing paper No. 55:	Per 108-ft. roll	1.30		
Rock lath 16 x 48, plain and perforated.		Sq. ft.	.0290		No. 1 grade				
Lath, metal, 2.2 lbs. painted diamond mesh.	Less than 100 sq. yds.	Sq. yd.	.27	.23	No. 2 grade	Per 108-ft. roll	2.25		
	100 sq. yds. or more	Sq. yd.	.245	.205	Smooth roofing paper No. 65:	Per 108-ft. roll	1.70		
Lath, metal, 3.4 lb. painted diamond mesh.	Less than 100 sq. yds.	Sq. yd.	.35	.35	Asphalt roofing paper No. 65:	Per 108-ft. roll	2.45		
	100 sq. yds. or more	Sq. yd.	.325	.325	No. 90.	Per 108-ft. roll	2.65		
Metal lath, corner bead, standard.		Per 100 lin. ft.	5.00		Asphalt or tarred felt:				
Portland cement, standard (paper bags).	1-19 bags.	94-lb. bag	.80	.75	15-lb. standard grade.	432-ft. roll	2.50		
Masonry mortar.	20 or more bags, LCL	376-lb. bbl.	2.88	2.83	All rag.	432-ft. roll	2.75		
	CL or more	376-lb. bbl.	2.83	2.80	Asphalt or tarred felt, 30 lbs.	216-ft. roll	2.50		
	1-19 bags.	67-lb. bag	.75	.70	Asphalt shingles: 210 lbs. 3-in-1 thick butt.	Per square	6.00		
	20 or more bags, LCL	268-lb. bbl.	2.70	2.65	Asphalt shingles 165 lb. 2-tab. hex.	do.	4.75		
	CL or more	268-lb. bbl.	2.50	2.40	Fibre insulation 1/2" standard lath and board.	Per 100 sq. ft.	8.25		
Mason's hydrated lime.	1-19 bags.	50-lb. paper sack	.75	.75	Asbestos cement, siding 12 x 24 or 27, standard colors.	Per 100 sq. ft.	8.25		
	40 or more bags, LCL	Ton	28.00	26.00	Hard density synthetic fibre board 3/4"	Per 100 sq. ft.	11.00		
	CL or more	do.	19.00	18.00	Thermal insulation batts (p. b.) full thick.	Per 100 sq. ft.	6.50		
Common brick.		Each brick	.03		Sisal craft paper.	Per 100 sq. ft.	1.20		
Fire brick, 9", straight 1st quality.	Less than 500	Per M.	27.50		Resin paper.	Per roll 500 sq. ft.	1.10		
	500 or more, LCL	1,000	100.00	98.00	Sand.	Per ton		1.00	
	CL or more	1,000	98.00	95.00	Gravel.	do.		1.00	
Fire clay.	1 bag	100-lb. bag	1.50	1.35					
	More than 1 bag	100-lb. bag	1.12	1.02					
Clay drain tile, 4"	Less than 300'	Lin. ft.	.09	.09					
	300' or more, LCL	do.	.085	.085					
	CL or more	do.	.08	.07					
Clay drain tile, 6"	Less than 300'	do.	.12	.12					
	300' or more, LCL	do.	.11	.11					
	CL or more	do.	.105	.10					
Vitrified clay sewer pipe, 4"	Less than 300'	Lin. ft.	.20	.20					
	300' or more LCL	Lin. ft.	.18	.18					
	CL or more	Lin. ft.	.17	.16					
Vitrified clay sewer pipe, 6"	Less than 300'	Lin. ft.	.30	.29					
	300' or more LCL	Lin. ft.	.26	.26					
	CL or more	Lin. ft.	.235	.215					

1. *Delivery charges.* (a) With reference to sales of all items covered by this order, excepting sales of sand and gravel, a charge of \$1.00 per delivery may be made for delivery service outside the "free delivery zone." No charge may be made for the return trip. "Free delivery zone" includes all points

within a radius of 25 miles from the dealer's place of business.

(b) With reference to sales of sand and gravel, the following delivery charges may be made: a charge of 10 cents per ton per mile for the first 5 miles, and 7 cents per ton per mile for each subsequent mile. On de-

liveries of less than 5 miles, a charge may be made on the basis of permitted charge for delivery of 5 miles, namely, 50 cents per ton. No charge may be made for the return trip, regardless of distance involved.

There need be no "free delivery zone" with reference to sales of sand and gravel.

2. *Discounts.* A discount of 2% for payment within 10 days following the end of the month in which purchase was made, must be made on selling price of commodities on which maximum prices have been established by their order, when purchase is made by a contractor as defined in section II, paragraph 2 of this order.

3. *State sales tax.* All sellers subject hereto may add to selling price of commodities on which maximum prices have been established by this order, the sales tax required to be collected by the laws of the State of Missouri. *Provided, however,* That the amount so collected be separately stated on the seller's invoice or sales slip.

[F. R. Doc. 46-11758; Filed, July 3, 1946; 11:34 a. m.]

[Fargo-Moorhead Order G-2 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN MINOT, N. DAK., AREA

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

Appendix A to Order No. G-2 under General Order 68 establishing maximum prices for retail sales of hard building materials in Minot, North Dakota, is hereby amended as follows:

APPENDIX A

RETAIL BUILDING SUPPLIERS

Amendment 1 to Order G-2 Under General Order 68. Effective June 24, 1946.

Item and unit	Maximum price for all retail sales
Plaster, hard wall, 100-lb. bag-----	\$1.25
Metal lath—corner bead (expanded type), Lin. ft.-----	.05
Portland cement, standard (paper bag), 100-lb. bag-----	.95
Mason hydrated lime, 50-lb. bag-----	.75
Vitrified clay sewer pipe, No. 18S—4-inch, lin. ft.-----	.26
Vitrified clay sewer pipe, No. 18S—6-inch, lin. ft.-----	.36
Flue lining, 9 x 9, lin. ft.-----	.49
Gypsum wallboard, 1/4-inch, 1,000 sq. ft.-----	35.00
Gypsum wallboard, 3/8-inch, 1,000 sq. ft.-----	45.00
Asphalt shingles, 210-lb. (3 in 1) thick—butt, per sq.-----	7.32
Fibre insulation board, 2 1/2-inch asphalt sheathing, 1,000 sq. ft.-----	69.00
Valley tin, 14-28 G. galvanized, lin. ft.-----	.11
Ridge roll, galvanized 2-in., lin. ft.-----	.07

¹ Price change.

This amendment shall become effective 24, 1946.

Issued this 20th day of June 1946.

JAMES S. ERIKSSON,
Acting District Director.

[F. R. Doc. 46-11744; Filed, July 3, 1946; 11:30 a. m.]

[Fargo-Moorhead Order G-1 Under Gen. Order 68, Amdt. 1]

HARD BUILDING MATERIALS IN FARGO-MOORHEAD, N. DAK., AREA

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

Appendix A to Amended Order G-1 under General Order 68 establishing maximum prices for retail sales of hard building materials in the Fargo-Moorhead Area is hereby amended as follows:

APPENDIX A

STANDARD RETAIL BUILDING SUPPLY YARDS

Amendment 1 to Amended Order G-1 under General Order 68. Effective June 20, 1946.

Maximum Prices for All Retail Sales (Except Cash-and-Carry Yards)

Item and unit	
Plaster, hard wall, 11-lb. bag-----	\$1.20
Plaster, gauging, 100-lb. bag-----	1.20
Plaster, moulding, 100-lb. bag-----	1.85
Keene's cement, 100-lb. bag-----	2.20
Finishing lime, 50-lb. bag-----	.75
Gypsum lath, 3/8 inch (rock lath),* 1,000 sq. ft.-----	30.00
Metal lath, ¹ 3.4 lb., copper diamond mesh, flat, sq. yd.-----	.33 1/2
Metal lath, ¹ 3.4 lb., galvanized, flat, sq. yd.-----	.36 1/2
Metal lath, corner bead, narrow type, lin. ft.-----	.03
Metal lath, corner bead, expanded type, lin. ft.-----	.04 1/2
Portland cement, # standard, 94-lb. paper bag-----	.85
Portland cement, # standard (bag extra), 94-lb. cloth bag-----	.80
Masonry mortar, 70-lb. bag-----	.70
Mason's hydrated lime, 50-lb. bag-----	.65
Cement, Portland white, #100-lb. bag-----	2.60
Fire clay, ¹ 100-lb. bag-----	1.46
Clay drain tile, 6-inch, lin. ft.-----	.138
Vitrified clay sewer pipe, No. 18S, 4-inch, lin. ft.-----	.24
Vitrified clay sewer pipe, No. 18S, 6-inch, lin. ft.-----	.33 1/2
Flue lining 9 x 9, lin. ft.-----	.44 1/2
Flue lining, 9 x 13, lin. ft.-----	.67
Flue lining, 13 x 13, lin. ft.-----	.84 1/4
Gypsum wallboard, 1/4-inch, 1,000 sq. ft.-----	35.00
Gypsum wallboard, 3/8-inch, 1,000 sq. ft.-----	42.00
Gypsum wallboard, 1/2-inch, 1,000 sq. ft.-----	48.00
Asphalt roofing, 90-lb. mineral surface, roll-----	3.45
Asphalt or tarred felt, 15-lb. roll-----	3.10
Asphalt or tarred felt, 30-lb. (216 sq.), roll-----	3.10
Planking, 1/2-inch, 1,000 sq. ft.-----	75.00
Tile board, 12 x 12, 1,000 sq. ft.-----	65.00
Tile board, 16 x 16, 1,000 sq. ft.-----	65.00
Tile board, 16 x 32, 1,000 sq. ft.-----	60.00
Fibre insulation board, 1/2-inch, standard lath and board, 1,000 sq. ft.-----	55.00
Fibre insulation board, 1 1/2-inch asphalt sheathing, 1,000 sq. ft.-----	72.00
Thermal insulation blankets, paper backed, single, 1,000 sq. ft.-----	55.00
Ridge roll, # 2-inch, lin. ft.-----	.06 1/2
Valley tin, 14-28 gauge, galvanized lin. ft.-----	.12

¹ Price change.

Discounts to contractors: Items marked # are net; item marked *, nine percent discount; all other items carrying 10% discounts.

This amendment shall become effective June 20, 1946.

Issued this 18th day of June 1946.

JAMES S. ERIKSSON,
Acting District Director.

[F. R. Doc. 46-11745; Filed, July 3, 1946; 11:30 a. m.]

[Peoria Rev. Order G-7 Under Gen. Order 68]

HARD BUILDING MATERIALS IN ROCK ISLAND-MOLINE, ILL., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and

pursuant to the provisions of General Order No. 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendices A and B attached hereto delivered to the purchaser in the Rock Island and Moline area. The Rock Island and Moline area for the purposes of this order consists of the area within the Cities of Rock Island, Moline, East Moline, Silvis and Milan in the State of Illinois.

SEC. 2. *Definitions.*—(a) *Retail sales.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided,* That for the purposes of this order a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum prices or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendices A and B. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendices A and B prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendices A and B attached hereto, at prices higher than the maximum prices set forth in these Appendices. All prices include free delivery within the area described by this order.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall keep on file in an appropriate counter book or other such record in each of his places of business in the area covered by this order, a copy of the list of maximum prices for sales to contractors set out

in Appendix B of this order and shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendices A and B containing the list of maximum prices applicable to that sale. There is attached to this order for your convenience two copies of its Appendices containing the items covered, with the respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted and the list of maximum prices to contractors hereinbefore required to be filed in seller's counter book or other such record.

SEC. 6. Sales slips and records. Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale, of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more.)
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep records of each sale as he customarily kept.

SEC. 7. Enforcement and penalties. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of the order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

Appendices. The Appendices containing the dollars-and-cents ceiling prices and the discounts and allowances established by this order are attached hereto, marked Appendix A and Appendix B and made a part hereof.

This revised order may be modified, amended, or revoked at any time.

This revised order shall become effective June 26, 1946.

Issued this 21st day of June 1946.

KENNETH H. LEMMER,
District Director.

APPENDIX A—TABLE OF PRICES

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. Cash discounts to all purchasers. Two (2) per cent for payment on or before the 10th day of the month following date of delivery.

Maximum Delivered or F. O. B. Yard Prices to Consumers

Description of materials and unit	Price
Plaster:	
1. Plaster, hard wall, 100-lb. bag--	\$1.05
2. Plaster, hard wall, per ton--	20.00
3. Plaster, gauging, super white, 100-lb. bag--	1.65
4. Plaster, gauging, local, 100-lb. bag--	1.05
5. Plaster, moulding, 100-lb. bag--	1.65
6. Cement, Keene's, 100-lb. bag--	2.30
Lime:	
7. Lime, finishing, 50-lb. bag--	.60
8. Mason's hydrated lime, 50-lb. bag--	.50
Gypsum products:	
9. Gypsum lath, $\frac{3}{8}$ " sq. ft.--	.028
10. Gypsum wallboard, $\frac{3}{8}$ " sq. ft.--	.045
Metal lath:	
11. Metal lath 2.2 lb. painted diamond mesh, sq. yd.--	.23
12. Metal lath 2.5 lb. painted diamond mesh, sq. yd.--	.27
13. Metal lath 2.5 lb. copper bearing, sq. yd.--	.30
14. Metal lath 3.4 lb. painted diamond mesh, sq. yd.--	.32
15. Metal lath, corner bead, expanded type, lin. ft.--	.042
Cement products:	
16. Portland cement, standard (paper bags), 94-lb. bag--	.80
17. Masonry mortar (paper bags), 70-lb. bag--	.60
18. Waterproof cement, gray, 94-lb. bag--	.95
19. Concrete block, 8 x 8 x 16" cinder, each--	.19
20. Concrete block, 8 x 8 x 16" sand, each--	.18
Clay products:	
21. Clay drain tile 6", lin. ft.--	.1145
22. Vitrified clay sewer pipe No. 1SS 4", lin. ft.--	.198
23. Vitrified clay sewer pipe No. 1SS 6", lin. ft.--	.264
24. Fire clay, 100-lb. bag--	1.00
Roofing:	
25. Asphalt roofing 90-lb. mineral surface, per sq.--	2.595
26. Asphalt or tarred felt, 15-lb., per roll--	2.633
27. Asphalt or tarred felt, 30-lb., per roll--	2.633
Insulation material:	
28. Fibre insulation board $\frac{1}{2}$ " standard lath and board, sq. ft.--	.05
29. Fibre insulation board $\frac{3}{32}$ " asphalt sheathing, sq. ft.--	.069
30. Hard density synthetic fibre board, $\frac{1}{8}$ " tempered, standard size, sq. ft.--	.09
31. Asbestos cement siding, 12 x 24 x 27, gray, per sq.--	8.30
32. Asbestos cement siding, 12 x 24 x 27, white, per sq.--	8.60
33. Thermal insulation blankets (paper backed) single, medium U. S. gypsum red top, glass wool, sq. ft.--	.053
34. Thermal insulation blankets (paper backed), sq. ft.--	.048
35. Thermal insulation batts (paper backed), sq. ft.--	.0675
36. Thermal insulation batts (paper backed) 2" thick, sq. ft.--	.0475
37. Thermal insulation batts (paper backed) full thick, sq. ft.--	.0675
38. Thermal insulation, loose in bags, plain, 35-lb. bag--	.95
39. Thermal insulation, loose in bags, nodulated, 35-lb. bag--	1.20

APPENDIX B—TABLE OF PRICES

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

1. Cash discounts to all purchasers. Two (2) percent for payment on or before the 10th day of the month following date of delivery.

Maximum Delivered Prices to Contractors

Description of materials and unit	Price
Plaster:	
1. Plaster, hard wall, 100-lb. bag--	\$1.00
2. Plaster, hard wall, per ton--	20.00
3. Plaster, gauging, super white, 100-lb. bag--	1.65
4. Plaster, gauging, local, 100-lb. bag--	1.00
5. Plaster, moulding, 100-lb. bag--	1.65
6. Cement, Keene's, 100-lb. bag--	2.30
Lime:	
7. Lime, finishing, 50-lb. bag--	.60
8. Mason's hydrated lime, 50-lb. bag--	.50
Gypsum products:	
9. Gypsum lath $\frac{3}{8}$ " sq. ft.--	.028
10. Gypsum wallboard $\frac{3}{8}$ " sq. ft.--	.045
Metal lath:	
11. Metal lath 2.2 lb. painted diamond mesh, sq. yd.--	.23
12. Metal lath 2.5 lb. painted diamond mesh, sq. yd.--	.27
13. Metal lath 2.5 lb. copper bearing, sq. yd.--	.30
14. Metal lath 3.4 lb. painted diamond mesh, sq. yd.--	.32
15. Metal lath, corner bead, expanded type, lin. ft.--	.042
Cement products:	
16. Portland cement, standard (paper bags), 94-lb. bag--	.80
17. Masonry mortar (paper bags), 70-lb. bag--	.60
18. Waterproof cement, gray, 94-lb. bag--	.95
19. Concrete block 8 x 8 x 16" cinder, each--	.19
20. Concrete block 8 x 8 x 16" sand, each--	.18
Clay products:	
21. Clay drain tile 6", lin. ft.--	.1145
22. Vitrified clay sewer pipe No. 1SS 4", lin. ft.--	.198
23. Vitrified clay sewer pipe No. 1SS 6", lin. ft.--	.264
24. Fire clay, 100-lb. bag--	1.00
Roofing:	
25. Asphalt roofing 90-lb. mineral surface, per square--	2.595
26. Asphalt or tarred felt 15-lb., per roll--	2.633
27. Asphalt or tarred felt 30-lb., per roll--	2.633
Insulation material:	
28. Fibre insulation board $\frac{1}{2}$ " standard lath and board, sq. ft.--	.05
29. Fibre insulation board $\frac{3}{32}$ " asphalt sheathing, sq. ft.--	.069
30. Hard density synthetic fibre board $\frac{1}{8}$ " tempered, standard size, sq. ft.--	.09
31. Asbestos cement siding 12 x 24 x 27" gray, per sq.--	8.30
32. Asbestos cement siding 12 x 24 x 27" white, per sq.--	8.60
33. Thermal insulation blankets (paper backed) medium U. S. gypsum red top glass wool, sq. ft.--	.0475
34. Thermal insulation blankets (paper backed) single, sq. ft.--	.048
35. Thermal insulation batts (paper backed) thick, sq. ft.--	.065
36. Thermal insulation batts (paper backed) 2" thick, sq. ft.--	.0475
37. Thermal insulation batts (paper backed) full thick, sq. ft.--	.0675
38. Thermal insulation, loose in bags, plain, 35-lb. bag--	.95
39. Thermal insulation, loose in bags, nodulated, 35-lb. bag--	1.20

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